

SMALL ENTITY

ATTORNEY DOCKET NO.: MED-04702/29

**COMBINED DECLARATION, POWER OF ATTORNEY
AND VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

As the below named inventor, I hereby declare my residence, post office address and citizenship are as stated below next to my name; and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PORTABLE, SELF-CONTAINED APPARATUS FOR DEEP
VEIN THROMBOSIS (DVT) PROPHYLAXIS**

the specification of which

- is attached hereto.
- was filed on _____ as Serial No. 0 / _____
or Express Mail No., as Serial No. not yet known _____
and was amended on _____ (if applicable).
- was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge to the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

| | | | Priority Claimed | |
|----------|-----------|------------------------|------------------|-----|
| (Number) | (Country) | (Day/month/year filed) | Yes | No |
| _____ | _____ | _____ | [] | [] |
| _____ | _____ | _____ | [] | [] |
| _____ | _____ | _____ | [] | [] |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph

8. The prior application is assigned of record to John K. Morris

9. A preliminary amendment is enclosed.

10. Also enclosed _____

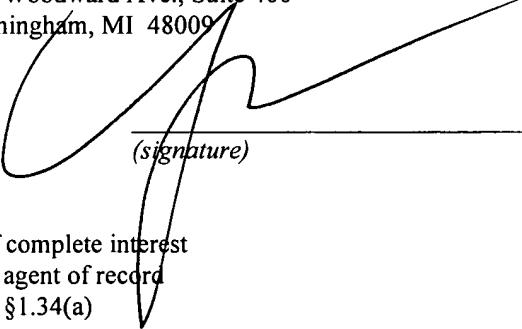
11. The power of attorney in the prior application is to:

John G. Posa
GIFFORD, KRASS, GROH, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009
734/913-9300

- a. The power appears in the original papers in the prior application.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. Address all future communications to:

John G. Posa
GIFFORD, KRASS, GROH, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009

Sept. 18, 2001
(date)


(signature)

Signature is:

- inventor(s)
- assignee of complete interest
- attorney or agent of record
- filed under §1.34(a)

Express Mail No.

ET 720741694 US

of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-------------------|---------------|--|
| (App. Serial No.) | (Filing date) | (Status) (patented, pending, abandoned) |
|-------------------|---------------|--|

| | | |
|-------------------|---------------|--|
| (App. Serial No.) | (Filing date) | (Status) (patented, pending, abandoned) |
|-------------------|---------------|--|

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| PROVISIONAL APPLICATION NUMBER | FILING DATE |
|--------------------------------|--------------|
| 60/136,549 | May 28, 1999 |

And I hereby appoint Ernest I. Gifford, Reg. No. 20,644; Allen M. Krass, Reg. No. 18,277; Irvin I. Groh, Reg. No. 17,505; Douglas W. Sprinkle, Reg. No. 27,394; Thomas E. Anderson, Reg. No. 31,318; Ronald W. Citkowski, Reg. No. 34,732; Judith M. Riley, Reg. No. 30,311; Douglas J. McEvoy, Reg. No. 34,385; Ellen S. Cogen, Reg. No. 38,109; Roberta J. Morris, Reg. No. 33,196; John G. Posa, Reg. No. 37,424; and Douglas L. Wathen, Reg. No. 41,369 as my attorneys, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Send all correspondence to:

John G. Posa, Esq.
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ANDERSON & CITKOWSKI, P.C.,
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Birmingham, Michigan 48009
Telephone (734) 913-9300

I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in the specification. I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such persons, concern, or organization
 persons, concerns or organizations listed below

FULL NAME _____

ADDRESS _____

Individual

Small Business Concern

Non-Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon.

Full name of first inventor JOHN K. MORRIS

Inventor's signature John K. Morris

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Inventor's signature Harry E. Colestock

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